

## **REMARKS**

The examiner has objected to the drawings for failing to show every feature of the invention specified by the claims and for omitting reference numbers. A proposed drawing correction is submitted that adds reference numbers. In addition, these reference numbers have been added to the specification. The objection to the drawings should be withdrawn.

Claim 1 was objected to for the informality set forth in the "whereby" clause. Claim 1 has been cancelled.

### ***Amendments to the Claims***

Upon entry of the foregoing amendment, claims 54-63 are pending in the application. Of the pending claims, claims 54 and 61 are independent.

#### ***I. Claim Rejections***

The Examiner has rejected the previous claims as being anticipated by or obvious in view of Phipps, Say, and Miller.

##### ***A. The Claimed Invention***

The invention is drawn to a method and apparatus for the delivery of a drug to a patient.

##### ***B. The Prior Art***

The prior art does not teach or suggest a system adapted to produce a first release of medication at a first time and a second release of medication at a second time different from the first time. In addition, the prior art does not teach or suggest a system as claimed wherein the release of medication is either a gradual release or a

unique burst release. Finally, the prior art does not teach or suggest a method of using such a system to administer medication to a patient.

**C. *The Patent Applied to Claim 54***

Applicants respectfully submit that the Phipps patent does not teach each element of the present invention. Specifically, the Phipps patent does not teach the element of "wherein the drug delivery system is adapted to produce a first release of medication at a first time and a second release of medication at a second time different from the first time, the first release of medication occurring when a first release pad receives a first electrical potential from a first contact point, the second release of medication occurring when a second release pad receives a second electrical potential from a second contact point". The Say and Miller references also do not teach or suggest such a limitation.

Because the Phipps, Say, and Miller patents do not teach this element, independent claim 54 is not anticipated by the Phipps patent.

With respect to claims 55-60, the prior art does not teach or suggest the specific types of releases set forth in the claims.

With respect to claim 61, since the prior art does not teach or suggest the apparatus set forth in claim 54, the prior art also does not teach or suggest a method of using the apparatus of claim 54 in a manner required by the steps set forth in claim 61. The same is true of dependent claims 62-63.

## **II. Conclusion**

Accordingly, Applicants respectfully submit that independent claims 54 and 61 are allowable over the prior art of record, including the Phipps, Say, and Miller patents. For similar reasons, and for the additional reasons set forth above, Applicants urge that the dependent claims are also allowable.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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